

REMARKS

The applicants have carefully considered the Office action dated October 5, 2006 and the references it cites. By way of this response, claims 23-32 have been amended. In view of the following, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

As an initial matter, the applicants note that claims 28-32 stand allowed. Nevertheless, those claims have been amended to remove the "step" language to make it clear that none of the claim elements are means-plus-function elements under 35 U.S.C. § 112, paragraph 6, and to remove the subpart numbering from the claims. These changes are either broadening or clarifying and, thus, do not create prosecution history estoppel or in any way limit the scope of equivalents available to these claims under the doctrine of equivalents. Claims 28-32 are not discussed further herein.

Turning to the art rejections, the Office action rejected claims 23-27 as being anticipated by Bartholomew et al., U.S. Patent 6,292,479, and/or rendered obvious by Bartholomew et al., U.S. Patent 6,122,255 when considered in view of Shtivelman et al, U.S. Publication No. 2001/0040887. The applicants respectfully traverse these rejections.

Independent claim 23 recites a method of providing caller identification for calls placed over an internet comprising, among other things, routing caller identification information over an advanced intelligent network ***without passing the caller identification information through the internet.***

None of the cited art teaches or suggests such a method.

Although the Office action cites Bartholomew et al., U.S. Patent 6,292,479 (hereinafter Bartholomew '479) as anticipating claim 23, a closer examination of Bartholomew '479 reveals this position to be in error. In particular, Bartholomew does not transfer the caller identification information over an advanced intelligent network without passing the caller identification information through the internet. Instead, Bartholomew '479 imbeds the caller identification information in the IP packets sent through the Internet. As stated in Bartholomew '479:

The gateway 20b then sends, in step 210, a signaling message through the Internet in the form of a query message packetized in TCP/IP packets having the IP address of the gateway 20a as the destination address. The signaling packets, which include a session ID, the called number, and the directory number of the calling station 11b, are received by the gateway 20a.

(Bartholomew '479, Col. 11, lines 7-9)(emphasis added). Including the caller identification information in the IP packets sent through the Internet is important to the Bartholomew '479 system. As explained in Bartholomew '479:

In the absence of provision to the contrary, as in the present invention, an originating switching office normally identifies calling party data by correlating the subscriber line connection at the switch with stored information associated with the subscriber. This data is sent in the SS7 signaling message to the terminating switching office (which may also be the originating switching office). The terminating switching office is then enabled to provide caller ID based services to the called party subscriber. In the Internet call architecture shown in FIG. 3, the voice path of the incoming call between PSTN 10a is connection 22a to digital switch 106 in gateway 20a, while the

messaging signal path 24a connects the PSTN with SMDI 104 in the gateway. With conventional call processing methods, the receiving SSP 13a either would misinterpret the identity of the calling party to be the gateway or be unable to provide caller ID information.

To overcome this problem with the prior art, in the present invention SSP 13a is programmed to recognize the voice path connection 22a as a special status condition upon receipt of a signaling message associated with that connection. *To obtain originating caller identification information, the switch looks to the message data content of incoming signaling packets for the gateway connection 22a instead of the header address portion of received packets.* Signaling messages received at switch ports connected to PSTN locations would be identified by the switch as to caller origination in the conventional manner.

(Bartholomew '479, Col. 11, lines 28-54)(emphasis added). Thus, the methodology of Bartholomew '479 is dependent upon embedding caller identification information in the IP packets sent through the Internet, and programming the switch to extract this information from the messaging content of the incoming packets. Therefore, Bartholomew '479 cannot be said to teach or suggest routing caller identification information over an advanced intelligent network *without passing the caller identification information through the internet* as recited in claim 23. Accordingly, claim 23 and all claims depending therefrom are patentable over Bartholomew '479, and the rejections based on Bartholomew '479 must therefore be withdrawn.

The rejection based on Bartholomew et al., U.S. Patent 6,122,255 (Bartholomew '255) and Shtivelman et al, U.S. Publication No. 2001/0040887 (Shtivelman) is similarly in error. The Office action acknowledges that Bartholomew '255 does not teach or suggest routing caller identification

information over the AIN to a terminating line, and looks to paragraphs [0111], [0113] and [0215] of Shtivelman for that teaching. However, paragraph [0215] of Shtivelman clearly states that “when an incoming call is received at switch 2141 *an alert signal is sent over the Internet* to the client computer station 2112” and that “*caller ID information may arrive with the alert signal.*” (Shtivelman, paragraph [0215])(emphasis added). Accordingly, like Bartholomew ‘479, Shtivelman clearly contemplates sending the caller ID information through the Internet. As a result, the combination of Bartholomew ‘255 and Shtivelman also fails to teach or suggest routing a caller identification information over an advanced intelligent network *without passing the caller identification information through the internet* as recited in claim 23. Accordingly, claim 23 and all claims depending therefrom are patentable over the combination of Bartholomew ‘255 and Shtivelman, and the rejections based on Bartholomew ‘255 and Shtivelman must therefore be withdrawn.

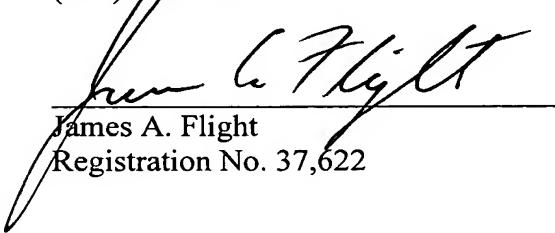
In view of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance.

If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact the undersigned at the number identified below.

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